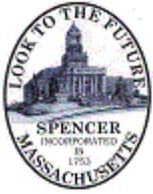


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, November 17, 2021 at 6:00 PM
Town Hall, McCourt Social Hall

If remote, please join the meeting from your computer, tablet or smartphone.

**IN ORDER TO CALL IN, PLEASE CALL: 1-571-317-3122 AND USE ACCESS
CODE: 454-205-589**

TO LISTEN TO THE MEETING ONLY GO TO SCATV.ORG

**PLEASE MUTE PHONES & TV'S AT ALL TIMES EXCEPT WHEN
SPEAKING!**

1. The Meeting was opened at 6:00 p.m.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin,
Robert Perry & Warren Snow

Commissioners Absent:

Staff present: Lauren Trifone & Jane Green
Staff absent:

2. Signed: There were no items to be signed.

3. Public Hearing/Meetings:

**a. 6:00 p.m. Continued the Public Hearing for the Notice of Intent for Christine &
Edwin Mullen**

Property: Lot 1(32) North Spencer Road, Spencer, MA DEP#293-0987

At the request of the applicant, the hearing has been continued to December 15, 2021.

**b. 6:01 p.m. Continued the Public Hearing for the Notice of Intent for Gordon
Letour**

Property: 10 Meadow Road, Spencer, MA DEP#293-1007

At the request of the Commission, the hearing has been continued to December 15, 2021.

c. 6:03 p.m. Continued the Public Hearing for the Notice of Intent for David Franca Property: R32-25 Donnelly Road, Spencer, MA DEP#293-1024

The Planning Board had a meeting last night. They did not come to an agreement on the specifics of the plans. The applicant would like to continue after Planning Board agrees to move forward with the project and a Peer Review is done.

At the request of the Commission, the hearing has been continued to December 15, 2021.

d. 6:05 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Jennifer & Leonardo Viana Property: 15 Delude Avenue, Spencer, MA

Ms. McLaughlin read the inspection report. Ms. Trifone explained the proposed deck plans while the Commission looked at the photos. The Commission wanted to know if the posts were going to be hand dug. Mr. Viana, the homeowner, said it depends on if the ground is frozen. The Commission said Mr. Viana is allowed to use an auger.

A motion to close the public meeting (Perry/Snow) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

A motion for a negative #3 determination with the addition of wattles (Emerson/Perry) 5/0 passed.

e. 6:14 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Dominic & Maryann Brescia Property: 31 Point Eastalee Drive, Spencer, MA

Ms. McLaughlin read the inspection report. Ms. Trifone showed the plans to the Commission.

A motion to close the public meeting (Bellemer/Perry) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

A motion for a negative determination (Perry/Snow) 5/0 passed.

f. 6:18 p.m. Opened the Public Meeting for the Request for Determination of Applicability for David A. Guertin Property: 6 Lamoureux Lane, Spencer, MA

Ms. McLaughlin read the inspection report. Ms. Trifone showed the pictures to the Commission and discussed the trees. Mr. Guertin, the homeowner, said that last year two pine trees fell and hit the house. He wants to remove the dying trees. The Commission would like replacement plantings for the trees that are going to be removed.

A motion to close the public meeting (Perry/Snow) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

A motion for a negative determination with replacement plantings (Perry/Snow) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

g. 6:25 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Kristin Hintlian

Property: 12 Bond Street, Spencer, MA

Ms. McLaughlin read the inspection report. The Commission looked at the plans and photos. Ms. Hintlian, the homeowner, handed out the plot plan. The members looked at the photos and plans.

A motion to close the public meeting (Emerson/Bellemer) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

A motion for a negative determination (Emerson/Bellemer) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

h. 6:33 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Jay Lussier

Property: 49 Wilson Avenue, Spencer, MA

Ms. McLaughlin read the inspection report. Ms. Trifone showed the photos to the Commission and discussed the deck replacement.

A motion to close the public meeting (Perry/Snow) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

A motion to for a negative determination (Bellemer/Perry) 5/0 passed.

All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

4. Other Business:

- a. 113 Ash Street** – The owner and Scott Jordan, from EcoTec, are requesting an Enforcement Order. The owners put a trailer on the property for their son to live in while he built the house. They were not aware that was not allowed. The previous owner filled in the wetlands and cut down trees. Ms. Trifone suggested an Enforcement Order with a Restoration Plan be the next step. The Commission agreed to this with a deadline by December 15, 2021.
- b. 20 & 32 McCormick Road** – Request for Stormwater Bond release
*A motion to release the bond for 327,000 for 20 & 32 McCormick Road.
(Snow/Perry) 5/0 passed.*
- c. 18 Briarcliff Lane-** The owners wanted to move the siltation controls and replace the pipe. Ms. McLaughlin read the inspection report.
A motion to amend the Oof C to match the updated site plans (Perry/Snow) 5/0 passed.

- d. **322, 324, 326 & 350 Main Street-** Request for Certificate of Compliance. Ms. Trifone explained the history of this property. The Storage facility was never developed and land was not cleared. They fixed a pipe that beavers were clogging. They removed the beavers. Mr. Krevosky assessed and cleaned the property to make sure everything was completed and compliant with the Order of Conditions. *A motion to grant the partial Certificate of Compliance (Perry/Bellemer) 5/0 passed.*
All in favor: Snow-Aye, Emerson-Aye, Bellemer-Aye, Perry-Aye, McLaughlin-Aye

5.Agent's Update: 34 Brooks Pond Road – The owners want two driveways. This was discussed at the Planning board meeting. The Commission would like a shared driveway.

31 Browning Pond Road – Ms. Trifone said that we have not heard anything from the owner. Mr. Bellemer said that someone has made an opening on the road to throw debris into the swamp. The Commission discussed solutions to the dumping problem. The Commission decided that letters should be sent to the residents in that area regarding dumping debris/leaves in the wetlands.

Minutes Approved:

A motion to approve the minutes of October 27, 2021 as amended (Perry/Bellemer) 5/0 passed.

New Applications: 56 Borkum Road – RDA

A motion to adjourn the meeting at 7:02 p.m. (Perry/Snow)5/0passed.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Service

DOCUMENTS REVIEWED AT THE 11/17/21 CONSERVATION COMMISSION MEETING

Agenda 11/17/21

Minutes 10/27/21

Continuation form 10 Meadow Road

Continuation form Lot 1(32) North Spencer Road

DOA - R35-25 Donnelly Road

DOA - 31 Point Eastalee

DOA - 6 Lamoureux Lane

DOA - 12 Bond Street

DOA – 49 Wilson Avenue

Correspondence – 113 Ash Street

Correspondence – 18 Briarcliff Lane

Certificate of Compliance – 322, 324, 326 & 350 Main Street